STATUS REPORT TO THE INDEPENDENT MONITOR SUBMITTED BY THE PARTIES TO THE COLLABORATIVE AGREEMENT

The Parties to the Collaborative Agreement, the Plaintiff Class, represented by the American Civil Liberties Union (ACLU) of Ohio; the City of Cincinnati (CPD) and the Fraternal Order of Police (FOP) (collectively referred to as "the Parties" or "the Collaborative Partners") submit this status report to the Independent Monitor, pursuant to Collaborative Agreement, paragraph 105.

June 5, 2007
Reporting Period: February 6, 2007 – May 5, 2007

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INTRODUCTION

This Report is intended to advise the Independent Monitor as to the progress that the Parties have made during the reporting period of February 6, 2007 through May 5, 2007. The Independent Monitor oversees implementation of both the Memorandum of Agreement (MOA) between the City and the United States Department of Justice, and the Collaborative Agreement (CA) between the City, the ACLU, and the FOP. The MOA is appended to the CA and is enforceable solely through the mechanism of paragraph 113 of the Collaborative Agreement. The conclusion of the MOA occurred in April 2007.

The purpose of the Collaborative Agreement is to resolve conflict, to improve community-police relations, to reduce crime and disorder, to fully resolve the pending claims of all individuals and organizations named in the underlying litigation, to implement the consensus goals identified by the community through the collaborative process, and to foster an atmosphere throughout the community of mutual respect and trust among community members, including the police.

This report provides updates based on the following established committees to fully address each area stipulated in the Agreement:

- Community Problem-Oriented Policing Committee
- Mutual Accountability
- Department of Justice Memorandum of Agreement
- Fair, Equitable, and Courteous Treatment
- Citizen Complaint Authority Committee

A. COMMUNITY PROBLEM ORIENTED POLICING (PARAGRAPH 29)

Item 29(a). The City, in consultation with the other Parties, shall develop and implement a plan to coordinate City departments with the CPOP focus of the CPD.

Monitor's Previous Assessment

As we noted in prior Reports, the Monitor's assessment of compliance is based on documentation of the City's implementation of its coordination plan. The documentation can include relevant information such as the number of agencies involved, the range of City services provided the number of projects with interagency cooperation, contact and action dates, and whether the intervention assisted in reducing the problem. The CPD provided a log of CERT activity that included ten projects that occurred in the past year. While this information is both helpful and consistent with the CA provision, it is limited. There have been other CPD problem-solving projects undertaken during this same time period that involved City agencies other than the ones listed, such as Parks and Recreation, Public Works, the Law Department, and Transportation and Engineering. The CPD should be able to quickly identify these among the projects listed in its own CPOP tracking system. If the projects on which CPD officers sought help from other City agencies are included (as they should be) in the documentation of interagency collaboration, it provides a much broader list (beyond code enforcement) of the use of City services in reducing crime and safety problems, and reveals whether these efforts are having an impact, or if improvements are needed.

The Monitor finds the City in partial compliance.

Parties' Status Update

See Appendix Item #1 to view a spreadsheet of all current projects and activities involving other City Departments as well as CERT meeting minutes highlighting details of activities.

Item 29(b), the Parties shall develop and implement a system for regularly researching and making available to the public a comprehensive library of best practices in community problem-oriented policing.

Monitor's Previous Assessment

The Monitor did not provide an assessment for this sub-paragraph. The Parties have been in compliance with this section for ten consecutive quarters.

Parties' Status Update

The CPPC submitted three (3) publications dealing with Crime Prevention Through Environmental Design (CPTED) to add to the library of best practices.

1) *CPTED Essentials, Crime Prevention Through Environmental Design: Participant Workbook*
2) Feins, Ph. D., J., Epstein, Esq., J., & Widom, R. (1997). *Solving Crime Problems in Residential Neighborhoods: Comprehensive Changes in Design, Management, and Use*. Washington D.C.: National Institute of Justice.
3) Katyal, N. (2002).Architecture as Crime Control. *The Yale Law Journal*. *111*, 1039-1139.

The publications have been posted to the CPOP website (http://192.168.100.200/cpop/).

Item 29(c). The City, in consultation with the Parties, shall develop a "continuous learning" process through the CPD. Experiences with problem solving efforts in the field will be documented and disseminated throughout the police department and made available to the public. Problem solving will continue to be emphasized in (included but not limited to) academy training, in-service training, and field officer training.

Monitor's Previous Assessment

We address the three sub-areas of 29(c) where compliance remains partial.

Continuous Learning Process in the CPD: As part of continuous learning, in mid-2005, the CPD stated it would develop one roll-call training per month devoted to problem solving. The first was delivered in September 2005. It described a drug market reduction effort on a bridge in Kennedy Heights. The CPD has not developed any additional problem-solving roll-call segments in 2005 or through February 6, 2007. We believe the Department should be able to develop and conduct roll-call trainings on problem-solving between May and September of this year. On the crime analysis front, the Monitor sees the collaboration with the University of Cincinnati as significant and needed. Given that these efforts have just begun, we are concerned whether sufficient changes can be accomplished by the CPD before August 2007, when the CA is scheduled to be completed. For instance, the District year-end 2006 crime analysis reports do not include any problem-solving analysis of crime.

Experiences with problem-solving efforts in the field will be documented and disseminated throughout the CPD: The Monitor is familiar with the *Collaborative Quarterly*, the 2006 Annual Problem Solving Report and the CPOP Awards Banquet materials. We believe that if these publications are disseminated to all of the CPD's employees, the City would be in compliance with this element of 29(c). While the CPOP website does contain some problem solving efforts, they are in uneven shape, and

accessing the website requires an affirmative step by employees. Distributing the Collaborative Quarterly, the Annual Problem Solving Report and the CPOP Awards materials to each employee provides them with many examples of problem solving.

Problem solving will continue to be emphasized in (but not be limited to) Academy training, in-service training, and field officer training: As we stated in a number of prior Reports, now that all patrol officers are expected to participate in problem solving, training about these expectations and the skills to accompany them is required. The training should prepare officers to dig into problems; it will require training and mentoring on documentation, how to manage calls, community meetings, longer term problem-solving efforts, and the use of analysis. The Monitor would like to see additional training occur to achieve compliance. And, as we mentioned in earlier reports, expectations for involvement should be clear and ultimately supported by the performance appraisal system, which to-date is not the case.

As we noted above, the 2007 in-service training agenda did not include problem-solving topics. In addition, the CPD did not report on efforts to include problem solving in the FTO program. Also, an important aspect to the training will be the sergeants' role in officer time-management. The sergeant, rather than the 911 dispatcher, needs to be able to help manage calls, making sure that officers have time to problem-solve and that officers spend their proactive time wisely, not just on car stops or routine patrol. Sergeants will play a key role in ensuring or inhibiting the successful transition of problem solving responsibilities from specialized units to patrol officers. Because the CPD was unable to identify training that they can replicate; the CPD will need to develop its own training on this topic. To provide greater assistance, the Monitor Team developed a two-page document for the CPD that includes some of the considerations in developing this kind of training.

The City remains in partial compliance with this subsection.

Parties' Status Update

Continuous Learning Process in the CPD:

The CPD developed four (4) Roll Call Training Scenarios as well as coinciding Training Bulletins. The topics include Landlord/Tenant Drug Eviction, Crime Prevention Through Environmental Design (CPTED), Situational Crime Prevention and Code Enforcement Response Teams (CERT). The Roll Call Training scenarios for each topic will be conducted during the months of June, July, August and September of 2007, dedicating month per topic. In addition of the Roll Call Training Scenarios, Cincinnati Police Academy Training Bulletins were developed for each of the four topics. Training Bulletins contain an additional significance since they are required reading for promotional exams. See Appendix Item #2.

CPD continues its collaboration with the University of Cincinnati regarding the future of crime analysis within the department. Mr. Rob Tillyer, under the direction of Dr. Robin Engel, has assisted the CPD in identifying short term/immediate goals (i.e.

defining crime analysis, data integrity, and defining "hotspots"), and the availability of additional training for analysts. In subsequent meetings, the definition of crime analysis for CPD has been discussed and criteria recommendations for hotspots have been made. Mr. Tillyer has also presented additional suggestions for crime analysts' reports to provide better detail for resource deployment.

<u>Experiences with problem-solving efforts in the field will be documented and disseminated throughout the CPD:</u>

The CPD will disseminate the *Collaborative Quarterly*, the 2006 Annual Problem Solving Report and the CPOP Awards Banquet materials through the Department's June 12, 2007 Staff Notes.

The most recent edition of the *Collaborative Quarterly* can be found under Appendix Item #3.

<u>Problem solving will continue to be emphasized in (but not be limited to)</u>
<u>Academy training, in-service training, and field officer training:</u>

The CPD is currently reviewing the materials provided by the Monitor reference work load analysis and time management for police officers. The CPD anticipates performing the analysis with in-house resources due to budget constraints, as well as, the time required to procure a consultant to perform the analysis.

Item 29 (d), The Parties shall research best practices on successful and unsuccessful methods of problem-solving used by other professionals (e.g. conflict resolution, organizational development, epidemiology, military, civil engineering and business).

Monitor's Previous Assessment

CPTED training, such as that provided in November, is a good example of how problem solving in another profession, in this case the design field, can play an important role in producing or reducing crime and fear and is a great tool in problem solving. The Partnering Center and the CPD partnered with the Tri-State Regional Community Policing Institute for this half-day training. Ten officers were in attendance, some are the crime analysts in the CPD Districts. In the past, about 15 officers have attended similar training that the Partnering Center helped put together.

We believe that if the CPD develops a plan for familiarizing officers throughout the CPD with CPTED and situational crime prevention (a crime reduction approach specifically mentioned in the CA), and follows through on the plan the City would be in compliance with this CA section. The April 21, 2007, CPOP Summit also highlighted problem solving examples to address community safety and crime reduction. Disseminating this information to officers in the field and throughout the CPD also will demonstrate compliance.

The Parties are in partial compliance with this provision.

Parties' Status Update

Roll Call Training Scenarios and Training Bulletins have been developed on CPTED and Situational Crime Prevention, as well as, a calendar of dates on which the training will be conducted. Also, as noted (see update under paragraph 29(c)).

April 21, 2007: Several local and national crime reduction and neighborhood safety best practices were featured at this year's CPOP Summit. The break out sessions included information from other police agencies and cities, including Boston, Chicago, Detroit and Baltimore. Topics and guest presenters included:

- *Crime Prevention and Safety 101*: This session, co-facilitated by Citizens on Patrol Officer, Terri Windeler and CPPC Community Safety Specialist, Anika Simpson, focused on crime prevention strategies that can easily be worked into a daily routine to reduce the likelihood of becoming a victim of crime.
- *CeaseFire Cincinnati*: *The Campaign to Stop the Shooting*: This session focused on gun violence reduction and was presented by CeaseFire Chicago Director Norman Livingston Kerr. CeaseFire Cincinnati is a gun violence reduction initiative currently being piloted in Cincinnati's District 4, specifically, Avondale and North Avondale. The initiative is receiving support from Cincinnati Police personnel, the CPPC, and many community stakeholders. It is modeled after CeaseFire Chicago's "Stop the Shooting" campaign and includes five core components – 1) outreach to and intervention with high-risk individuals; 2) collaboration between criminal justice agencies and personnel to identify and intervene with those most likely to be victims or offenders of gun violence; 3) community mobilization to respond to shootings within 72 hours of the incident; 4) public education to change attitudes and behaviors about gun violence; and 5) faith-based leadership to engage the community and to serve as a moral voice to challenge the norms about gun violence. Amy Krings-Barnes of the CPPC co-facilitated these sessions with Kerr and was joined by Avondale Community Council president Patricia Milton and District 4 Sergeant Chris Conners. These individuals discussed how this model is being implemented.
- *CIRV (Cincinnati Initiative to Reduce Violence):* The work of Mr. David Kennedy of the Center for Crime Prevention and Control at the John Jay College of Criminal Justice was featured in this session. Over one hundred citizens attended the presentation about his "targeted deterrence" approach to reducing gun violence. Due to the success of this approach in Boston, Massachusetts, Mr. Kennedy's strategy was dubbed "The Boston Miracle." His strategy provides the basis for the Cincinnati initiative.

- *CPOP – Neighborhood Strategies for Success:* CPD COP Coordinator, Lt. Larry Powell and CPPC Community Safety Specialist George Roberts highlighted local examples of citizens, police, and City departments working together to reduce crime and improve neighborhood safety through CPOP.
- *Reducing Crime Associated with Corner Stores:* Dr. Calvin Trent and Minou Carey of the Detroit, MI Department of Health shared information about their city's successful program to eliminate crime and disorder problems at neighborhood convenience stores and carry-outs. Cincinnati Health Commissioner, Dr. Noble Maseru, also participated.
- *The Role of Youth in Reducing Gun Violence:* A panel including youth from the Mayor's Youth Council, the Avondale Youth Council, and other youth advocates discussed gun violence in Cincinnati and how young people can have an active and important role in reducing gun violence.
- *Community Safe Zones – "Trafficking a New Plan":* CPPC Executive Director Rick Biehl and CPD Sergeant Maris Herold shared information about both local and national initiatives to reduce gun violence and open-air drug sales which involve traffic redirection as a crime reduction strategy.

The CPOP Summit was well attended by CPD sworn and non-sworn personnel including Chief Thomas Streicher, S. Gregory Baker and other members of the Command Staff. Chief Streicher gave an overview of Problem-Solving within the Cincinnati Police department, as well as, introduced Professor David Kennedy presentation of the Cincinnati Initiative to Reduce Violence (CIRV).

Item 29(e). The Parties, consistent with the Community Partnering Program, shall conduct CPOP training for community groups, jointly promote CPOP and implement CPOP training.

Monitor's Previous Assessment

The Monitor did not provide an assessment for this sub-paragraph. The Parties are in compliance with the CA's requirement for community training on CPOP.

Parties' Status Update

The CPPC organized and/or participated in five trainings for 342 citizens in SARA, CPOP, and other problem-solving strategies.

Date	Group and Trainings Conducted	# of People
April 12, 2007	YWCA: Women's Development / GED – "CeaseFire Cincinnati: Focus on Community Mobilization"[1]	17
April 13, 2007	Closing the Health GAP – "The Gun Violence Epidemic in Cincinnati"[2]	75
April 14, 2007	West End Community Stakeholders – SARA Training	9
April 21, 2007	CPOP Summit	230
May 1, 2007	Avondale Community Council – Curfew Center Overview	11
	Total	**342**

The 2nd Annual CPOP Summit on April 21st was organized by the CPPC and the CPD to provide citizens with practical tools and information to improve community safety by reducing crime and disorder in their neighborhoods. The CPOP Summit Planning Committee, comprised of representatives from the CPPC staff and the Cincinnati Police Department, began meeting in early 2007. To accomplish the goal of showcasing national and local best practices related to gun violence reduction and prevention, the Summit planning committee identified and invited several notable individuals to participate.

Two hundred thirty citizens representing several Cincinnati neighborhoods participated. Additional attendees included Mayor Mark Mallory, Cincinnati Police Chief Tom Streicher, Jr., Hamilton County Commissioner David Pepper, Cincinnati City Councilmember Cecil Thomas as well as other elected officials and CPD leaders.

A roundtable discussion emceed by Ms. Gwen Robinson, Executive Director of the Cincinnati-Hamilton County Community Action Agency, included several City and CPD officials. The discussion delivered a rousing key note address later in the day which

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[1] April Cummings and Regis Jones provided 17 women with information on CeaseFire Cincinnati through the YWCA's Women's Development and GED program. The women embraced the CeaseFire 5-component model and shared stories of their own experiences with gun violence. Some volunteered to join the CeaseFire campaign by assisting with the development of public education materials and participating in upcoming community-building events.

[2] CPPC Executive Director Richard Biehl was joined by Ishaq Nadir, Trustee of the Avondale Community Council, in a presentation delivered at the Closing the Health Gap Conference on the Gun Violence Epidemic in Cincinnati. They shared information about CeaseFire Cincinnati, Out of the Crossfire, and the Cincinnati Initiative to Reduce Violence (CIRV). Their presentation was moderated by Amy Krings-Barnes of the Partnering Center. Seventy-five (75) people were in attendance, including Cincinnati City Councilmember David Crowley.

was referred by one Summit participant as a "call to action" for all citizens to get involved in their community.

Attendance was lower than expected. However, the vast majority (95%) of attendees who completed evaluations gave the event an overall rating of three ("Good") or four ("Excellent"). Nearly three-quarters of those completing the evaluation said that the Summit "inspired them to become more involved" in CPOP and other initiatives in their neighborhood to reduce crime and improve safety. One citizen summarized the day by writing, "all of the speakers were informative and well educated on the topics. I learned a lot today." Another commented, "a wealth of information was made available to citizens, you exceeded my expectations in terms of relevant information that I could put to use today. Thank you!"[3]

CeaseFire Cincinnati Update – the Campaign to "Stop the Shooting" in Avondale

There is much to report about the progress of CeaseFire Cincinnati during this reporting period. CeaseFire Cincinnati continued its work in the pilot communities of Avondale and North Avondale, with discussions beginning in Walnut Hills regarding expanding CeaseFire to that neighborhood. For nearly a month - from February 18th to March 17th - there was not a single shooting in the CeaseFire pilot communities of Avondale and North Avondale. While CeaseFire cannot take sole credit for this encouraging trend, it does demonstrate that CeaseFire is beginning to take root in Avondale and North Avondale and beyond. People in the pilot communities have continued to step up by volunteering to participate in neighborhood canvassing, shooting responses, vigils and other events organized to spread CeaseFire's "Stop the Shooting" message.

Totals for CeaseFire during this reporting period include the following:

- Ten (10) shooting responses with 81 attendees.
- A total of 4,097 pieces of CeaseFire public education materials (buttons, fliers, postcards, t-shirts, posters) have been distributed as of May 5th, 2007.
- A vigil was held at a gun violence victim's (Folando Allen) mother's home.
- Two events were held to promote CeaseFire's "Stop The Shooting" message:
  - *Show Me What You Got* Open Mic Night – February 16, 2007
    A free event open to the public that brought together Cincinnati youth, specifically Avondale, to give them an opportunity to express their life affirming talents. All participants were encouraged to share rap songs, dances, poems, and all other genres and abilities to promote an anti-gun violence message. The event was hosted by Cincinnati Entertainment Awards (CEA) nominee and national recording artist, k-Drama, who is not only a native of Cincinnati but also a role model for youth seeking to branch out from the mainstream trend of promoting violence. The effort was coordinated with the hope of engaging youth and young adults in

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[3] See Appendix Item #9 to view the 2007 CPOP Summit Evaluation Summary.

positive activities to inspire them to cultivate their gifts. A total of 122 people attended the event.

- o *PhotoVoice Photography Project* – March 31, 2007
  CeaseFire partnered with the Avondale Community Council and local photographers Melvin Grier, Jymi Bolden and Ryan Fields to provide photography workshops for youth in Avondale. Fourteen youth participated, and following the workshop, which covered the basics of photography, the youth were partnered with an adult mentor sent into the neighborhood to capture on film their thoughts and feelings about the joys and challenges of being a young person in Avondale, the effects of gun violence on their lives, and ways in which they can work for peace in their community. The young photographers were then asked to write a brief narrative to accompany their photos, which were later compiled for display at The PhotoVoice Grand Opening and Gallery Exhibit, which was scheduled for Saturday, May 12th, 2007 at The Avondale Pride Center, 3520 Burnet Avenue.

  CeaseFire and the Community CPPC has also requested an opportunity for these young artists to attend a meeting of City Council's Law & Public Safety Committee where they can present a slide show of their work and share what motivated them to participate in PhotoVoice & other positive initiatives in their community, such as CeaseFire and the Avondale Youth Council.

- During this reporting period, the Executive Director continued to chair meetings of the Criminal Justice Collaborative of CeaseFire Cincinnati and the Avondale Social Services Providers Network, a group that has been formed through the initiative of the Partnering Center to coordinate needed services for individuals at high-risk for gun violence in Avondale.

- Three grant proposals were completed and submitted during this reporting period to support CeaseFire Cincinnati. Two funding proposals were submitted to Uptown Consortium. The first for funding for Public Education materials and the second for funding to support CeaseFire outreach efforts (funding for Youth Streetworkers). The third grant proposal was to the MetLife Foundation Community-Police Partnership Awards, again to provide funding support for the CeaseFire pilot communities of Avondale and North Avondale and for potential expansion into Walnut Hills.

We are encouraged that the momentum behind this important campaign to "Stop the Shooting" has continued to build during this reporting period.

Item 29(f). The Parties shall coordinate efforts through the Community Partnership Program to establish an ongoing community dialogue and interaction including youth, property owners, businesses, tenants, community and faith-based organizations, motorists, low-income residents and other City residents on the purposes and practices of CPOP.

Monitor's Previous Assessment

The CA requires the Parties, coordinated through the Partnering Center, to establish community dialogue and interaction with different segments of Cincinnati's population. In prior Monitor Reports, we have stated that a plan for structured dialogue, joint promotion of events and a review of the feedback from those events would show compliance with this CA subsection. It would also demonstrate compliance if the Parties scheduled follow-up meetings, and reported on the outcomes of the discussions and meetings, descriptions of areas of agreement and disagreement in the dialogue, and next steps. The Parties agreed that the Plaintiffs should develop a draft plan for presentation in this Report. We request that the Plaintiffs expedite the drafting of a plan.

The Parties are in partial compliance with this provision.

Parties' Status Update

The Plaintiffs provided the Parties' to the CA with a Communications Plan:

> "Paragraph 29(f) states that: "The Parties shall coordinate efforts through the Community Police Partnering Center to establish ongoing community dialogue and structured involvement by the CPD with segments of the community, including youth, property owners, businesses, tenants, community and faith-based organizations, motorists, low income residents, and other city residents on the purposes and practices of CPOP." Given the other goals of the CA as well as the evolution of problem solving efforts in Cincinnati, it is clear that the parties need to have a wider dialogue with community members than simply about CPOP. The results of the Rand report also make it clear that the parties need to lead a community discussion regarding police tactics in Cincinnati. Plaintiffs therefore propose the following series of forums regarding policing. We propose two primary topics for these discussions: 1) community conversations regarding the police tactics that are used in the African American community; and 2) community training, utilizing the MVR tapes that Rand reviewed, regarding interactions during traffic stops.
>
> Community Forums re Proactive Policing
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> The parties will hold approximately 10 forums between March and August. These forums will be facilitated to maximize the vitality and productivity of the dialogue. Each forum will be followed by discussions of the parties to see how best to respond to the community input. Any movement or changes in policy and

or tactics that follow these forums and discussions between the parties will be discussed at each subsequent forum so that citizens know their views on these issues matter.

MVR Tape Training

Here, the parties would work to train approximately 100 persons/month. These persons will be identified by the community organizer for the ACLU working with CPD administrative personnel. This training would involve both police and citizens in reviewing these tapes with an emphasis placed on improving how both parties approach these interactions."

<u>April 19, 2007</u>: The Friends of the Collaborative hosted a Public Forum on the CA at the Urban League. The panel was chaired by Mr. Al DeJarnett and included the Independent Monitor to the CA, Mr. Saul Green, Cincinnati City Manager Milton Dohoney, Cincinnati Police Chief Thomas Streicher, Jr., Mr. Al Gerhardstein, attorney for the ACLU, and Cincinnati FOP President Kathy Harrell.

<u>May 28, 2007</u>: The Plaintiffs provided the Parties to the CA the following update regarding communication and problem solving with the community.
"On May 31 Plaintiffs will report on progress re efforts to attract foundations that will assist with a city wide effort at communicating our progress to stakeholders.

This is critical to making progress on our core issue of increasing trust of police by AA[4] community through honest dialogue and information

MVR tapes as educational tool"

<u>May 30, 2007</u>: The CPD presented a symposium on the topic "Sudden / In-Custody Deaths" at the Duke Energy Center. The event was well attended by local law enforcement officers, medical personnel, and community leaders. Appendix Item #10 contains biographies of speakers from the event. Topics of discussion included:

- Identification, prevention, management and investigation of sudden and in-custody deaths
- Theories about sudden death and excited delirium
- Research findings about stimulants and the brain regarding sudden death and excited delirium
- Cincinnati's history of sudden and in-custody deaths
- Legal defense strategies regarding sudden and in-custody death cases
- Toxicology findings and their roles in excited delirium and sudden death investigations
- Diabetes and how hypoglycemia can effect a persons psychological behavior

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[4] African-American

Item 29(g). The Parties shall establish an annual CPOP award to recognize the efforts of citizens, police officials, and other public officials who have made substantial contributions to CPOP by addressing community problems in Cincinnati.

Parties' Status Update

An organizing committee consisting of citizens, CPD and CPPC personnel has been formed to plan the Third Annual CPOP Awards Banquet on Thursday, October 25, 2007. It will be held at Xavier University's Cintas Center. Through the efforts of Plaintiffs' Attorney, Al Gerhardstein, Ohio Attorney General Marc Dann was invited to deliver the keynote address. The Parties will keep the Monitor apprised of details as they happen.

Item 29(k). The CPD Commanders shall prepare quarterly reports that detail problem-solving activities within the Districts. Reports shall identify specific problems and steps taken by the City and community toward their resolution. Reports shall identify obstacles faced and recommendations for the future. Reports should be available to the public through the Community Relations Unit.

Monitor's Previous Assessment

Districts have access to the CPOP website and so, beginning this reporting period, all District problem-solving efforts are housed in the CPOP tracking system, unless they are in preliminary stages and therefore not ready for inclusion in the tracking system.

District 1 Quarterly Problem-Solving Reports

> • A CPOP Team for Over-the-Rhine Mulberry/McMicken Safety Sector will be selecting one problem from the seven safety problems they have considered for a CPOP project.
> • All of the District's other problem-solving projects are contained in the CPOP tracking system and are discussed in 29(m).

District 2 Quarterly Problem-Solving Reports

> • All of the District's problem-solving projects are contained in the CPOP tracking system and are discussed in 29(m).

District 3 Quarterly Problem-Solving Reports

> • All of the District's problem-solving projects are contained in the CPOP tracking system and are discussed in 29(m).

District 4 Quarterly Problem-Solving Reports

• All of the District's problem-solving projects are contained in the CPOP tracking system and are discussed in 29(m).

District 5 Quarterly Problem-Solving Reports

• Vehicles parked in the 7:00 a.m. to 9:00 a.m. traffic lane were causing traffic to back up and accidents, resulting in a request for clear, posted signage to prevent the problem. The officer reviewed the number of parking citations and accidents at the location and physically observed the site prior to making the recommendation that signage was needed.

• All of the District's other problem-solving projects are contained in the CPOP tracking system and are discussed in 29(m).

Criminal Investigations Section

• The Vice Unit has an effort aimed at reducing out-of-town drug buyers. The buyers are arrested and if the buyer's vehicle is used in the crime, officers impound it and a $500 bond is required for its release. Of the 305 buyers arrested in 2006 (87 of whom are out-of-towners), none have been rearrested. This effort is just one part of a multi-tiered strategy to arrest drug dealers and drug buyers and deter drug buyers from the area.

• The Homicide Unit provided an update to an effort to reduce the number of accidental child deaths resulting from the parents suffocating the child when they turn over during sleep in the same bed. The Family and Children First Council is taking the lead in alerting the public to the hazards of co-sleeping.

• The Personal Crimes Unit provided an update on their Pinwheels child abuse and neglect awareness campaign, which they participated in last year. The CPD experienced an increase in child abuse and neglect cases in 2006, as did the State of Ohio. A repeat of the effort is scheduled this spring. It is unclear if the project is supposed to increase reporting or decrease incidents.

Special Services Section

• The Traffic Unit provided an update to its project to reduce traffic accidents, particularly those accidents resulting in fatalities. The Traffic Unit attributes reductions in fatal, serious injury, and minor injury crashes to this effort, which targets high crash locations using monthly data. Refinements are made as best practices are researched. The Traffic Unit periodically meets with Traffic Engineering to insure that road design issues are also analyzed as possible causes of crashes. It is unclear if the numbers provided represent full year numbers for 2005 and full year numbers for 2006.

• The Youth Services Unit provided an update to their truancy project. They state that the concentrated patrols show lower numbers of children being found on city streets during school hours. They have also received positive feedback from business owners who formerly complained about the youth disturbing their businesses. The project does not include numbers from the Cincinnati Board of Education about the actual number of truants and if the number was reduced by this effort.

• The Park Police Unit provided an update to its project on sexual activity in Mt. Airy Forest. During the response phase the Unit learned of the POP Guide entitled Sexual Activity in Public Places. Design changes to the bathroom, the stalls, and the area surrounding the bathroom were discussed with the Parks and Recreation Department. The Mt. Airy Community Council expressed interest in monitoring any high profile arrests through the court system. The Unit made multiple arrests at the Park for public indecency, solicitation, and sexual imposition. The Police and the Board have noticed less cruising. This may be due to the arrests (nearly 30), inclement weather, video cameras, or the lack of road access to the problem area due to a construction project that will have the effect of increasing natural surveillance.

Intelligence Section

• An update to the copper theft project begun in 2006 included a PowerPoint presentation about copper thefts and possible strategies. The Police Specialist working on this project interviewed officers and investigators in each police district to learn more about the problem, in addition to mapping thefts, looking to see if there is a nexus between abandoned buildings and these thefts. He also searched the internet and an area intelligence database for potential remedies.

Crime Analyst End of Year Summaries

• The crime analysts in each District looked for basic patterns in robbery, aggravated assault, burglary, auto theft and theft from auto for 2006.[5]

We see it as an advance that most of the projects are now in the CPOP tracking system. This way, they are recorded and are easily searchable. We report on the CPOP tracking system and the projects in it under 29(m). There remain a few District projects

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[5] It should be noted that the District 4 report shows that The Alms Apartments at 2525 Victory Parkway appears to remain a location of repeat felony assaults, repeat burglaries, and repeat auto thefts. The project in the CPOP tracking system at that address lists the project as resolved, even though, it appears, the location logged about 400 calls for service to it in a year. Another hotspot appears in the District 5 year-end crime analysis report, the Rest Inn on Central Parkway. That case too is listed as resolved in the CPOP tracking system.

that still appear on paper - one from District 1 and one from District 5.[6] The District 1 project is in its early stages, the CPOP team has not yet selected a problem, so appropriately it is not in the tracking system. The District 5 project is a good example of a small problem-solving project, and it is far enough along (it is in the response stage) that it should be entered into the CPOP tracking system.

The special unit projects remain weak. Most do not clearly state the problem that they are trying to reduce; the exceptions are the traffic fatality/serious injury project, the infant death project, the Mt. Airy Forest project, the out-of-town buyers project, and the copper theft project. The other project write-ups contain little or no data on the problem, no analysis of the problem, no analysis of patterns, and solutions are not evaluated for impact.

In prior Reports, we had asked that the Department's Crime Analysis Unit submit a quarterly report to document its analysis efforts. The CPD responded in the past that the work of the analysts is contained in individual problem-solving reports in the District and Unit Commander reports. We are heartened to see the submission of year-end analysis reports by the District crime analysts. The year-end summaries show that even in a basic review of crimes there are a number of patterns that can be pursued in the Districts through problem-solving projects if they or the District Commander suggest them. We believe that it is extremely beneficial to have crime analysts and that the Department will continue to benefit from their work, particularly with the assistance of the University of Cincinnati in helping to further develop the analysis capability within the Department.

The CPD has over the last eight months asked the Districts to place their projects in the tracking system and to improve the quality of their projects. We believe that this is working and hope that there is continued accountability. The Special Units are reporting consistently now as well.

While we will continue to look for improvements in the quality of problem-solving efforts, we believe that with regard to documenting problem solving in quarterly reports, all of the Department's Districts and Units are preparing quarterly reports or including their problem solving reports in the tracking system. The CPD is now in compliance with this section of the CA.

Parties' Status Update

The following Units/Sections submitted Quarterly Problem Solving Reports (Appendix Item #4) for this reporting period:

- Special Services Section
  - Traffic Unit
  - Youth Services Unit

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[6] There is also a District 1 SARA project that tries to fit efforts in Over-the-Rhine into a SARA project. The Department has provided the Monitor with a full loose-leaf binder pertaining to this, which we will discuss later in this section of the Report.

- Criminal Investigations Section
  - Homicide Unit
  - Personal Crimes Unit
  - Major Offenders Unit
- Central Vice Control Section

Item 29(m). The Parties, in conjunction with the Monitor, shall develop and implement a problem-tracking system[7].

Monitor's Previous Assessment

We will begin our assessment by discussing the capacity of the tracking system. We then discuss the problem-solving projects, by District, that are contained in the CPOP tracking system (and we note also those that are potentially promising projects). We follow with a discussion about the future of the tracking system.

The expected capacity of the tracking system has declined over the last two years. While the CA does not require the additions that were initially planned, these features would have given officers additional tools to equip them to do quality problem solving. As is, the tracking system remains something that needs to be managed properly. The CPD has had trouble since the tracking system's inception capturing some of the most basic information about crime and safety problems that have been selected for problem-solving projects.

There have been improvements in the system since it was put in place. The name of the officer (or the name of the officer whose password is used) is now next to each entry in the system. Also visible is the date the entry is made. Some projects contain more information than others, yet there are few projects that show the true capacity of officers in the CPD. Officers appear steered to enforcement and directed patrol. While these are aspects of policing, there is a wider tool set. For example, it is clear that for problem properties, the CPD's landlord specialist is the greatest asset the CPD has. Given the number of problem properties in Cincinnati, it is hard to imagine how the specialist is able to manage all of her workload. Some officers seem aware of this resource, but many of the projects in the tracking system suggest that officers could be more aware than they are currently of this resource. This would be an excellent problem-solving topic for roll call training, if it has not already been done.

One improvement in the tracking system is that in this reporting period most of the District officers made greater use of the "give specifics" boxes in the projects. The use of the drop-down menus provides only generic information, and still, some are clicked even though they have no relation to the project. A number of the projects

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[7] The CPD is currently developing its own tracking system. As of mid-May, personnel have been directed to refrain from entering new cases into the "old" system. However, current cases will continue to be updated and edited as needed.

contained better information about crime or calls, but some still remained lacking, particularly a number of the projects from District 3.

For the most part, officers are not looking to other sources to understand problems and turn them around. It seems that most look to an officer in their own District, but no further. This means that the quality of the projects in the tracking system needs to be higher, so at least officers can look to these for insights about common crime problems. The crime world has changed. The CPD is beginning to adopt strategies that other police agencies have used or researchers have suggested. Line officers and investigators too should be knowledgeable about what is in the policing field. The CA requires the CPD to build a library of crime knowledge. While that has been done, there s little evidence that it is being used in the projects included in the tracking system.

In August 2006, we stated that improvements to CPOP efforts and problem-solving documentation needed to occur immediately. We expressed concern that so many CPOP projects were summarily listed as resolved, without care as to whether in fact the crime and disorder problems that were identified were reduced or eliminated. Our expectations included:

- A fully functional CPOP tracking system
- Captains held accountable for the quality of the problem solving
- Projects completed or handed off to other officers appropriately
- The cases contain few errors or omissions
- Free form boxes are completed with relevant descriptions, data, analysis, response information, and assessment outcomes
- Supervisors and mentors are actively engaged in coaching and guiding officers so they can succeed in producing higher quality efforts that are consistent with the CPOP definition adopted by the Parties

Last reporting period, the Parties remained out of compliance. Projects still lacked analysis, some even appeared to have been abandoned, and of those completed, and many lacked any real assessment of impact.

Improvements are still needed in the quality of the entries in the system for this tracking system to be the tool envisioned in the CA and for the CPD to be in compliance for this provision. There have been deficiencies in the tracking system itself this reporting period, but not as many as in prior reporting periods. Significantly, the CPD's tracking system seems to be down less frequently this reporting period, at least making it more accessible for entering problem solving projects. Also, the CPD has stated its commitment to work with its personnel "to address the quality of the information and level of analysis required to accurately describe problem-solving efforts." For these reasons, we have determined that the Parties are now in partial compliance with this CA provision.

Parties' Status Update

In response to the Monitor's suggestion to develop a roll call training bulletin to provide CPD officers with information regarding CPD's landlord/tenant specialist, staff from Training Section and the COP Unit developed a Roll Call Training Scenario titled *Permitting Drug Abuse*, Scenario 2007-03.

Eight (8) new cases were entered this reporting period by Districts 2, 3, and 4 while all Districts continued to edit and update existing activities:

District	Case Number	Date Entered	Problem
2	SAR0700021	3/1/2007	Traffic Speeding
3	SAR0700022	3/8/2007	Prostitution
3	SAR0700023	3/8/02007	911 Abuse
3	SAR0700024	3/8/2007	Loitering
4	SAR0700026	4/19/2007	Trespassing
3	SAR0700027	4/24/2007	Disturbance
3	SAR0700028	4/24/2007	Disturbance
3	SAR0700029	4/27/2007	Gang Activity

In an effort to address the quality of the information entered into the tracking system, the CPD's Police Chief approved the development of a Projects Coordination Team, out of the Police Relations Section, to assist districts/sections/units during the Scanning and Analysis phases of SARA. A detailed description can be found under Appendix Item #5.

Additionally, the CPD has amended their Strategic Plan to include a measurement tool addressing several of the Monitor's expectations (e.g., Captains held accountable for the quality of the problem solving; Projects completed or handed off to other officers appropriately; The cases contain few errors or omissions; Free form boxes are completed with relevant descriptions, data, analysis, response information, and assessment outcomes). The following addition has been made under "Creating a More Efficient Workforce"[8]:

> *Strategy 3.2.8*
> Maintain the integrity of information contained in the problem tracking system to ensure the accuracy of problem solving efforts and level of analysis required to effectively address repeat and chronic problems
>
> *Measurement:*
> Quarterly audits of entered cases

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[8] The CPD recognizes that the implementation of the addition falls outside the scope of the reporting period. However, in light of recent meetings with the Monitor, the CPD felt the inclusion of this information was relevant for this report.

Item 29(n). *The City shall periodically review its staffing in light of its commitment under CPOP and make revisions as necessary subject to funding provisions of this Agreement.*

Monitor's Previous Assessment

The CA requirement suggests that an assessment is required of the Department's organization in light of the adoption of problem solving as the principal strategy for addressing crime and disorder problems.

We believe that the quality of problem solving and how it is managed relates to this section of the CA as well. If the quality of the problem solving after four and one half years is high, then this suggests that the staffing issues (number of officers, what is included in their workload, what officers are asked to do, how they spend their time, and how they are deployed) is managed in a way that enhances problem solving. If officers do not have proactive time to problem solve and have trouble consistently attending CPOP meetings, if the quality of problem solving is lower than it should be, if the management of the tracking system is haphazard, if the analysis does not include problem analysis, then the staffing is not being managed in a way that commits to problem solving.

We believe that creating crime analyst positions is critical to good problem solving. The redeployment of COP officers back into patrol, widening the responsibility for problem solving, allowed the CPD, through transfers of officers, an opportunity to increase staffing at Districts that have high crime and calls for service. However, it may be that the additional officers assigned to patrol were counterbalanced by other officers being assigned to the Vortex Unit, so that it is unclear whether patrol officers have any additional proactive time available for problem solving, and whether the amount of proactive time is sufficient. This is why a staffing review is important. The staffing review may suggest that there is sufficient time. If there is sufficient time, then the quality of the problem solving should reflect this.

In addition, if problem solving is the primary crime fighting strategy of the CPD, then the CPD should be able to demonstrate that a significant number of officers (perhaps most or even half?) are engaged in problem solving. The projects in the CPOP tracking system do not suggest that this is the case. The problem-tracking system reflects that only a handful of officers in each District work on problem-solving projects. The CA requires that the CPD periodically review staffing so it uses problem solving as its main crime fighting strategy.

The City is in partial compliance with this provision. However, we believe that the Strategic Plan can help place the CPD into compliance. The CPD could (and should) monitor and measure, as part of the Strategic Plan, the amount of self-initiated time officers have for problem solving; this will help it better manage its resources. The same

is true of crime analysts. If all or most of their time is spent on tactical analysis, then longer-term problem solving is given short shrift. This too can be measured and then managed as part of the Strategic Plan.

Parties' Status Update

The CPD requested and received information regarding the Monitor's suggestion to better identify a CPD officer's available proactive time for problem solving through a workload analysis.[9]   The CPD is currently reviewing the information provided and recognizes the importance of evaluating its officers' available proactive time but is assessing the best methodology for completing this enormous undertaking with available resources.

Regarding the Monitor's suggestion to make additions to the Strategic Plan, the CPD requested further clarification on specific language during the All Parties' Meeting on May 31, 2007. The CPD will be in a better position to provide a response after an analysis has been done and clarification has been received.

Item 29(o). The City shall review and, where necessary, revise police departmental policies and procedures, organizational plans, job descriptions, and performance evaluation standards, consistent with its commitment to CPOP.

Monitor's Previous Assessment

Performance Evaluations. The performance evaluation standards adopted in 2004 did not place the CPD in compliance. We turn to the new performance evaluation system. We stated that any new performance appraisal system should be consistent with the CA; it should support problem solving, reflect that problem solving is the principle strategy of the Department, and be a means of accountability within the Department. Performance evaluations are an essential element of the organizational infrastructure needed to sustain CPOP.

The revised 448 (Performance Appraisal) forms are modeled on what is known as a Behaviorally Anchored Rating System (BARS). The PIT team identified key common performance dimensions that the CPD has an interest in evaluating, along with various specialized dimensions that are unique to particular roles or assignments. For each of these dimensions, various examples of behaviors or performance have been identified to help raters and the employee better understand the standards used to assess the employee's performance in that specific dimension.

The Monitor agrees that this is a significant improvement over the current performance evaluation system and standards. The policy manual and materials that were

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[9] Again, discussions, meetings, and email traffic regarding a workload analysis falls outside the scope of the reporting period. However, given recent meetings, the CPD felt it was necessary to include the most recent status in this report.

developed to support this revised rating form and system are also superior to the materials and guidance previously offered.

We agree the new performance appraisal system reflects a marked improvement and does offer evidence of changes that would be more consistent with a commitment to CPOP. We also believe that with some revisions, the evaluation system can more clearly place problem solving as the principle strategy for addressing crime and disorder problems in the community. Doing so would ensure that this stated objective of the CA is fully understood and carried out by all employees.

Among the ten core performance anchors used, problem-solving features are specifically mentioned under "community partnerships" and "problem solving." They can also be mentioned elsewhere, and should be stressed as an expectation for all of the four assignment-specific categories. While the description of the "Patrol Practices (Self Initiated Activity)" anchor for patrol officers includes a reference to CPOP, all CPD members, in particular supervisors and managers (and even investigators), can and should share responsibility for the agency's commitment to problem solving, and this should be stressed in their performance appraisals. Managers and supervisors should be guiding, leading and coaching subordinate staff in these techniques and reinforcing the agency's commitment by modeling and reinforcing what all are expected to do to ensure that problem solving is the principal strategy for addressing crime and disorder.

We therefore recommend that language be incorporated into the assignment-specific performance anchors for the administrative, supervisory, patrol and investigative assignments that would address specific problem solving expectations attached to these roles. Such language and expectations seem to logically fit under categories such as "interaction with other units and agencies", "project management", "research", "patrol practices", "evaluating employees", "leadership", and "personnel development."

In addition, while moving forward on training for the new performance evaluation system shortens the time it will take for the new system to become operational, we do note that the training began without assessing whether the new system sufficiently emphasizes problem solving, so as to put the CPD in compliance. For example, the CPD began the training before providing the Monitor and the Parties with an opportunity to comment and assess the performance evaluation standards. This also occurred in 2004, and the revisions then to the CPD's performance evaluation standards were found to be not in compliance with the CA. The Monitor believes that the changes needed to emphasize problem solving can be, and must be, accomplished quickly and incorporated into the CPD's training on the performance evaluation system. Moreover, these changes should be made before the CPD begins implementing the new performance evaluation standards, so that the standards are consistent with CPOP and will bring the CPD into compliance.

Job Descriptions. As we have noted in prior Reports, the CPD will need to revise its job descriptions in light of CPOP. Such revisions apply to all positions from the rank of patrol officer and police specialist through the rank of Lieutenant Colonel.

Revising job descriptions establishes that a police organization is committed to clarifying and reinforcing the knowledge and job skills employees should possess and the performance expectations associated with each role. Given that problem solving is central to how the CPD will police, then the skills required in this dimension, and evidence of their application (among other things), must be displayed. Further, revised performance evaluation systems and job descriptions help support the Strategic Plan, which is discussed in 29(n).

The CPD proposed including the following descriptors in job descriptions to achieve compliance.

- Shall have a working knowledge of Community Problem-Oriented policing (CPOP)
- Shall have a broad understanding of the SARA problem-solving methodology for consistent application in CPOP teams
- Shall support CPOP initiatives to maintain a positive relationship between the Police Department, community members and CPOP participants
- Shall be active in CPOP teams, committees, and other groups formed for the purpose of identifying problems and/or solutions to problems within the community, City or Department
- Shall keep their supervisor informed of current CPOP issues
- Shall provide supervision and direction of subordinates in identifying and resolving problems utilizing the CPOP approach (included for supervisory positions only)

The Monitor believes that the above descriptors are helpful, but not sufficient, to achieve compliance. There is no mention of analyzing crime and safety problems, nor any mention of assessing the impact of responses selected to address crime and safety problems. While SARA is mentioned, it is only in the context that the employee has "a broad understanding" of the approach, rather than emphasizing the need to display the job skills, ability and commitment to carrying this out.

While one of the descriptors states that the employee "shall be active in CPOP teams, and other groups," under this description, it could be assumed it is sufficient if the individual merely attends CPOP meetings. An employee would be right in arguing that under this job description his/her participation does not require anything other than engaging in routine enforcement activities on an identified problem.

Since the CPD has asked for more specific guidance than we have provided in the past, our recommendations below are more specific.

- Shall use problem solving as the primary crime fighting strategy to address repeat or chronic problems, including using SARA in addressing repeat, chronic problems

- Shall participate in CPOP teams and other community efforts to reduce crime or safety problems, and participate in all aspects of SARA through activities such as: identifying repeat crime and safety problems, analysis of problems, developing responses tailored to the problem after exploring a range of responses, implementing responses, and assessing their impact
- Shall develop awareness of and apply contemporary problem-oriented strategies to reduce common urban crime or safety problems
- Shall develop awareness of and apply situational crime prevention strategies to reduce crime and safety problems
- Shall document problem solving efforts so others can learn from them
- Shall coach and evaluate officers/investigators in the development of their ability to carry out a problem-solving approach to crime/safety problems (added for supervisory positions)
- Shall manage work units so that problem solving is the primary crime fighting approach taken to reduce crime or safety problems (added for lieutenant through lieutenant colonel rank)

Policy Revisions. Last year, the CPD leadership directed specific Unit Commanders to file a quarterly problem-solving report and use the form titled *Critical Elements Which Must be Addressed in Quarterly Problem Solving Reports* as a guide to improve upon the type of information that is contained in these reports. Even though the form was adopted nearly a year ago, Unit Commanders rarely used it. In October 2006, the CPD adopted a new Problem-Solving Procedure (12.370). The procedure describes how projects are to be opened, completed and closed. In addition, it identifies reporting requirements for District and Unit Commanders. The new procedure states: "The SARA problem-solving methodology is the primary process for addressing crime and disorder problems." We see this as a tremendous step forward. However, the new procedure does not require the use of the Critical Elements form; rather a different set of questions are posed that are required to be answered, providing much less guidance than the Critical Elements form:

- Specific problems addressed identifying causes, scopes, and effects of the problem
- The quantitative measuring device used on the problem
- Steps taken to resolve the problem
- Obstacles encountered and recommendations for future improvement

There is no requirement in the steps above for assessment. We still believe that examples and training will provide the best guidance for employees so they can understand how the policy translates into practice. Many thorough examples can be pulled from the winners or finalists for the Herman Goldstein Award for Problem-Solving Excellence (www.popcenter.org) and shared with Department employees if desired.

Organizational Plans. The CPD adopted a new Strategic Plan in 2006. In the Plan, strategies support identified objectives. The CPD included its first report on Strategic Plan objectives in the Parties' March 5, 2007, CA Status Report. We list below those

strategies employed in the Plan that are consistent with the CA. Some have already been identified in this Monitor Report in previous sections or previous reports, but since it is the first reporting out on the Strategic Plan, we are listing them here as well.

- Reduce violent crime (objective 1.1) – the Department is moving forward with the help of David Kennedy and John Eck to reduce violent crime through the problem-oriented approach called "pulling levers" (although this is not reported in the Strategic Plan)
- Reduce illegal drug trafficking (objective 1.3) – buyer-beware drug stings, use of civil ordinances to reduce drug crime
- Reduce Vice-Related Offenses (objective 1.4) – participate in the "Off the Streets" Program involving john education, use of civil remedies for prostitution offenses, enforce liquor licensing regulations against problem properties
- Increase the use of non-criminal strategies as problem-solving tools (objective 1.5) – code enforcement by inter-agency response teams, expanded use of Drug House Abatement Program to educate landlords and evict drug offenders, analyzing crime hot spots
- Augment police-community involvement in problem-solving projects (objective 2.1) – court watch expanded, District 2 states it will use problem solving examples in 6- minute roll call training and District 3 states it did roll call training
- Enhance public education on police operations (objective 2.2) – youth leadership program (38 attendees), strategic planning dialogue (41 attendees)
- Increase Department-community involvement and interaction (objective 2.3) – developed cross-cultural communication training, partnering with Freedom Center and Hebrew Union College to develop civil rights course for new recruits
- Expansion of CPOP philosophy to entire department, and introduction of more beat officers at community meetings (objective 2.3.3) – District 1's goal is to expand attendance of community meetings down to the beat and CPOP liaison level for all three shifts and Downtown Services Unit; all District 5 officers received training on how to attend community meetings; District 3 officers received roll call problem-solving training and resource training

In sum, revisions to performance evaluation standards and job descriptions are key elements in this section, as they can help drive the type of change the CA requires. The City will be in compliance with the job descriptions portion of 29(o) if it makes revisions similar to or consistent with the descriptors provided. It also will be in compliance with the performance evaluation portion of 29(o) if it addresses the problem-solving expectations in the patrol, administrative, supervisory and investigative assignment-specific anchors.

As for revised procedures, the City developed a problem-solving procedure, which offers some guidance to Unit Commanders about written reporting expectations around problem solving, for those efforts that will not be kept in the CPOP tracking system. It is in compliance on this part of 29(o). Regarding organizational plans, staffing issues are discussed in 29(n).

Regarding the Strategic Plan, in prior Reports we complimented the CPD for some of the objectives included in the plan, although we suggested that some additional elements of the CA should be incorporated to ensure that they are accomplished. We see the Strategic Plan as a highly useful tool for focusing District Commanders, Unit Commanders, and other Department personnel on what is important to the Department. This is why, under section 29(n), we recommend that the CPD include just a few more items into the Strategic Plan so they can be tracked and measured, which would place the CPD in compliance for 29(n) and this part of 29(o). In other words, with a few more additions, the Strategic Plan can help the CPD accomplish the ends of the Collaborative Agreement.

We believe that if appropriate progress is made on job descriptions, performance evaluations, and the Strategic Plan, the City will be in compliance with this section. The development of a new performance evaluation system is progress in itself, although the CPD began to train its supervisors on the system before it was reviewed by the Parties and the Monitor. Because of the importance of these areas to the support of CPOP and the CA, the City remains out of compliance with this section of the CA; however, we believe that the City can move quickly in the right direction towards compliance.

Parties' Status Update

Performance Evaluations. The CPD has made significant progress on this front during and past this reporting period. Following the release of the Monitor's 17th Report to the Parties, the CPD requested assistance from members of the Monitoring team to provide specific language to include in the performance evaluations. In addition, the Police Chief suspended the implementation of the new Performance Evaluation system due to ongoing negotiations with the FOP regarding grievance procedures and to evaluate the Monitor's suggested additions. As a result, several recommendations were incorporated into the performance evaluations and have been included in this report under Appendix Item #6. The revised standards will go into effect July 1, 2007.

The FOP and the CPD reached an agreement poised for execution. As of this report, a letter of understanding is awaiting the appropriate signatures. The Monitor was apprised of the status and the document during the May 31, 2007 All Parties Meeting.

Job Descriptions. The CPD incorporated the Monitor's suggestions for additions to existing job descriptions. The newly revised job descriptions for CPD sworn personnel can be found under Appendix Item #7. The announcement was made through the Department's Staff Notes (May 22, 2007).

Policy Revisions. The Plaintiffs provided the Parties to the CA a document outlining suggestions that they would like to see incorporated into the Problem-Solving procedure (12.370).

"At a minimum, the Problem Solving Policy, 12.370 must be amended to:

a. Address the issue of providing sufficient time for officers to be proactive on problem solving; constantly review what calls require an officer to physically respond (see Appendix Item I 17th report – barking dog? Can response to false alarms be reduced?); set a goal for amount of proactive time officer has available (30%?).

b. list the resources/library that are available for reference (website, pop guides, Collaborative Agreement)

c. require that the databases tracking repeat locations, victims, and offenders be analyzed as part of the process for identifying problems within the CPD and use rolling 12 month parameter for data (29 p, q)

d. Make sure strategic plan is consistent with problem solving as principle strategy for addressing crime and disorder (see memo from Baker to Streicher 5/4/07 – enough?)

e. Make sure problem solving is implemented at district level and crime analysts effectively used

f. Agree on outcome measures for reducing crime and disorder. Hotspot reduction? Part I crime reduction? Repeat location, offender, victim reduction?

g. Make sure system for referrals/partnerships with other city departments, partnering center and agencies is clearly set out (cf 29a)

h. Continue the tracking system, district commander/special unit reports and annual report on problem solving to reinforce effort (29j, k, m)

i. Integrate cpop agreement among parties from 2003 with forms. (Tab 1, binder from plaintiffs with letter of 2/23/07)"

Item 29(p). The City shall design a system that will permit the retrieval and linkage of certain information including repeat offenders, repeat victims, and/or locations.

Monitor's Previous Assessment

We noted in prior Reports that the new system the CPD has selected is expected to be capable of retrieving and linking information in the CPD's current computer information systems to enable the CPD to track repeat offenders, repeat victims, and repeat locations. This information can then be used in problem solving, CPOP cases, and District/Unit Commander reports. The system will increase the CPD's ability to identify trends and patterns and use them to undertake problem-solving efforts. While the CPD's

current information systems provide some information, they are systems that are based on traditional models of policing, where incidents were documented typically as isolated or non-recurrent events, where pattern analysis might focus on an offender "m.o.," rather than also on repeat location, repeat location types, repeat victim, and repeat victimization locations. In February 2006, the Department developed three databases using quarterly information to identify repeat victims, repeat locations, and repeat offenders. In the year since those databases were available, we still have not seen projects associated with the people or places identified by the repeat data.

We said in prior Reports that we expect to see the information from the databases, particularly drawn over a longer period of time, to be the basis of problem-solving efforts initiated by the police around repeat victims, repeat locations, and repeat offenders. Again, we suggest that the CPD partner with the Partnering Center on some of these. Using the data in problem solving is just as important as creating the databases.

We had said in several prior Reports that the CPD could use the information in the Analyzing Repeat Victimization publication to move into full compliance relatively quickly. ITMS states that it does not have the ability to direct District crime analysts and we have not seen evidence that each of the repeat victim, offender, and location databases is being used within the Districts as the basis of opening problem-solving projects. The CPD leadership is in a position to direct Districts to use the databases (combining 12 months of data into one database for each of the three databases) for the basis of opening problem-solving efforts. The CA is outcome based. Databases developed (for the purpose of opening the Department to problem-solving avenues to reduce crime and safety problems), but not used,

Parties' Status Update

May 31, 2007: The CPD provided the Monitor and the Parties to the CA an update on the status of the use of the Repeat database. Lieutenant Colonel James Whalen is the new Patrol Bureau Commander and has directed the District Commanders to utilize the information in the database to initiate CPOP activities. The information in the database will be reviewed and a process following the SARA methodology will begin. A summary of the plan is as follows:

From reviewing the "Repeat Databases", Crime Analysts and Neighborhood Liaison Supervisors will identify potential problem-solving projects and recommend projects to the District Commanders. Potential projects will then be discussed with affected community members for approval and participation.

District Commanders will select projects and direct their Neighborhood Liaison Supervisor to enter the problem into the CPOP tracking system.

Police Relations Section will assist District personnel by researching best practices and offer suggestions for potential actions/solutions for each problem solving project.

Upon discussion and consultation with the appropriate community organizations, District personnel will implement projects and update the tracking system with emphasis on proper documentation.

Police Relations Section will perform a quality control review of all projects in the tracking system for complete documentation and timely updates.

The Patrol Bureau Commander will be briefed weekly on open projects, progress, problems, etc.

Accompanying the above process, the CPD is proposing a one day training session to be developed and implemented off-site to provide Captains and Lieutenants with a full understanding of the problem-solving methodology, system and expectations.

Item 29(q). *The City shall secure appropriate information technology so that police and City personnel can access timely, useful information to detect, analyze and respond to problems and evaluate their effectiveness.*

Monitor's Previous Assessment

The CPD has reported that it expects the CAD portion of the new system to be on line the second quarter of 2007. The CPD reports that "[i]ssues related to proper geo-coding, CAD configuration and COPSMART delays the development." The CPD did not report an expected on-line date for the RMS portion of the system.

The CPD cites its use of its current systems, including the CPOP tracking systems, as a basis for a determination of compliance. The Monitor has noted in several CA sections that the CPD needs to improve its problem-solving analysis, and use that analysis in its CPOP and problem-solving efforts. Nonetheless, we believe that the work done under 29(p) also puts the CPD in partial compliance for 29(q). The repeat location, victim, and offender databases are a beginning, although improvements are still needed along the path described in 29(q). Once the new systems are up, they will need to ease access to this type of information and improve the CPD's capacity to scan, analyze, respond and assess. The City is in partial compliance with this section of the CA.

Parties' Status Update

See Appendix Item #8.

B.   MUTUAL ACCOUNTABILITY EVALUATION

Evaluation Protocol

Items 30-46, Evaluation Protocol

Monitor's Previous Assessment

RAND's 2005 First Year Report and 2006 Second Year Report reinforce and validate the Collaborative Agreement's approach that problem solving must be the principal strategy for addressing crime and disorder in Cincinnati. RAND "underscored a point from last year's report: The City needs to avoid the assumption that effective law enforcement and good community relations are mutually exclusive goals and to work to find policies that can maximize both outcomes" [p. 92].

RAND's 2006 Second Year Report repeated many of the findings of its 2005 First Year Report. Blacks and whites in Cincinnati experience "substantively different types of policing" (xxiii). Black residents are more likely than whites to live in neighborhoods characterized by crime and disorder, and residents in high-crime neighborhoods in Cincinnati are more likely to see "proactive policing" such as aggressive traffic enforcement, pedestrian stops, and officers patting down individuals on the street corner. Calls for service, reported crime, arrests and police use of force are geographically clustered in particular neighborhoods – including Over-The-Rhine, the Central Business District/Riverfront, Avondale, and Pendleton. Because of where black and white residents live in the city, and because of police decisions on deployment and crime control strategies, blacks and whites have very different experiences with policing in Cincinnati.

The RAND Reports provide a powerful explanation for the wide gap in perceptions about policing between whites and blacks in Cincinnati. This chasm must be bridged. Central to this issue is the impact on the black community of decisions about police strategy. The right police strategy is one that effectively reduces crime, makes people feel safer, and reduces perceptions of police unfairness and bias.

In our Monitor's Reports, we have set out several recommendations for actions that the Parties and the Cincinnati community should take. These steps need to be taken without delay. The CPD will need to increase the level of community dialogue to build trust with the African American community, and to restore trust with residents who have been disillusioned. This should include discussions regarding incorporating problem solving and CPOP into hot spot/crime sweep efforts, and an examination of how and where arrests are being made and how they correlate to reported crime. Aggressive traffic enforcement may engender greater distrust, and may not be effective in reducing crime or improving traffic safety.

The Parties are in compliance with the CA provisions requiring the development of a system of evaluation, and implementation of the Evaluation Protocol (CA ¶¶31-43).

The Parties have also committed to continued dialogue on policing strategies in Cincinnati. As these discussions move forward, this will demonstrate the Parties' compliance with CA ¶¶ 30 and 46. For this reason, the Monitor is deferring our compliance determination on these two provisions.

C.   **DEPARTMENT OF JUSTICE MEMORANDUM OF AGREEMENT**

Collaborative Items 47-49

Pointing Firearms Complaints

The investigations of complaints of improper pointing of firearms from March 2000 to November 2002 were forwarded to the Conciliator, Judge Michael Merz, in July 2003. The Parties also submitted supplementary materials to Judge Merz for his review in making his decision under Paragraph 48. On November 14, 2003, Judge Merz issued his decision. Judge Merz determined that there has not been a pattern of improper pointing of firearms by CPD officers. Therefore, CPD officers will not be required to complete a report when they point their weapon at a person. The Parties are in compliance with the provisions of Paragraph 48.

FAIR, EQUITABLE AND COURTEOUS TREATMENT

Collaborative Items 50-54. The CA requires the Parties to collaborate in ensuring fair, equitable and courteous treatment for all, and the implementation of bias-free policing. Data collection and analysis are pivotal to tracking compliance, and training is essential to inculcate bias-free policing throughout the ranks of the CPD. The Monitor, in consultation with the Parties, is required to include detailed information regarding bias-free policing in all public reports. The collection and analysis of data to allow reporting on bias-free policing is to be part of an Evaluation Protocol developed with the advice of expert consultants.

52. Training and Dissemination of Information *The Parties shall cooperate in the ongoing training and dissemination of information regarding the Professional Traffic Stops Bias-Free Policing Training Program.*

Monitor's Previous Assessment

With the delivery of bias-free training to officers as part of in-service training in 2007, the Parties are in compliance with this provision.

54. Professional Conduct *In providing police services the members of the CPD shall conduct themselves in a professional, courteous manner, consistent with professional standards.*

Monitor's Previous Assessment

The CPD has put policies and procedures in place in compliance with this CA provision. The City is in compliance with this provision of the CA.

51. Data Collection and Analysis *The Monitor, in consultation with the Parties, shall in all public reports, include detailed information including but not limited to the racial composition of those persons stopped (whether in a motor vehicle or not), detained, searched, arrested, or involved in a use of force with a member of the CPD, as well as the race of the officer stopping such persons.*

Monitor's Previous Assessment

a.   **Traffic Stop Data Collection**
          The CPD collects traffic stop data on Contact Cards, which are used by RAND for analysis. The Parties are in compliance with this requirement.

b.   **Use of Force Racial Data**

The Parties are in compliance with this requirement.

c.   Favorable Interactions

The Parties are in compliance with this requirement.

d.   Unfavorable Interactions

The Parties have developed a protocol for reporting unfavorable interaction by CPD officers with citizens. The protocol has been approved and entered by the Court. Mutual Accountability Forms have been developed. Now that these are available for completion and collection, the Parties are in compliance with this provision.

E.   CITIZEN COMPLAINT AUTHORITY

Collaborative Items 55-89

Monitor's Previous Assessment

The City is in compliance with CA¶¶68 through 79, relating to the CCA investigation process, intake and assignment, and CPD and City cooperation with CCA investigations.

With regard to the CA requirement (¶80) that the CCA and CPD create a "shared electronic database that will track all citizen complaints," the two agencies do not have a shared electronic database that tracks all citizen complaints, although the CCA does have access to the CPD's ETS system. Instead, the CCA and CPD have developed a manual spreadsheet that includes information on IIS and CCA complaints. In their December 2006 CA Status Report, the Parties state that the current system is sufficient. The Monitor did note in our last Report, however, that if the tracking and coordination of the status of citizen complaint investigations at each agency is to be done manually, that effort must be kept up to date. The spreadsheet provided to the Monitor in February 2007 (as an Appendix to the City's MOA Status Report) does not include information about a significant number of citizen complaints filed with the CCA in 2006, and does not have up-to-date information about CCA dispositions so that they can be compared with CPD dispositions. The City will be in compliance with this provision if it can provide the Monitor with a current matrix of both agencies' dispositions.

The City and the CCA are in compliance with CA ¶¶82-86, relating to prevention of police misconduct and reducing citizen complaints, and to public dissemination of information about the CCA and how it operates. The CCA has provided the Parties with a report on complaint patterns and trends, and included the patterns report in its 2006 Annual Report, which the CCA published in March 2007. The CCA has also begun publishing a newsletter. The City is also in compliance with CA¶87, requiring that the City Council allocate sufficient resources for the CCA to accomplish its mission. However, we encourage the City to evaluate the CCA's work and consider whether there are additional goals that could be accomplished with even slight supplemental budgetary funding.

Parties' Status Update

May 24, 2007 - CPD emailed the updated version of the CCA/IIS spreadsheets (2006 and 2007) to the Deputy Monitor.

APPENDIX

1. Current cases with inter-agency collaboration

2. Roll Call Training Scenarios and Bulletins

3. *Collaborative Quarterly*, Volume 4, Summer 2007

4. Quarterly Problem Solving Reports

5. Staff Notes Entry Request re: Project Coordination Team

6. *Revised* Performance Evaluation Ratings Manual – Effective July 1, 2007

7. Job Descriptions Revisions

8. Status Report on the Records Management System

9. 2007 CPOP Summit Evaluation Summary

10. Biographies of speakers at the "Sudden/In-Custody Death" Symposium